IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.25 OF 2006

IN

WRIT PETITION NO.551 OF 2005

Shri Vilas Sahebrao Gadakh ...Petitioner

Versus

Shri Dilip Shankarrao Bankar & Ors. ...Respondents

WITH

CIVIL APPLICATION (STAMP) NO.9391 OF 2006

IN

CONTEMPT PETITION NO.25 OF 2006

Shri.Digambar Valu Gite & Ors. ...Applicants

Versus

Shri Vilas Sahebrao Gadakh & Ors. ...Respondents

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Mr.Nitin Pradhan with Ms.S.D.Khot for
Petitioner in CP and for Respondent No.1 in CA.
Mr.R.A.Thorat for Respondents 1 to 13 in CP
and for Applicants in CA.
Mr.P.J.Thorat for Respondent No.14 in CP and
for Respondent No.6 in CA.

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CORAM: A.M.KHANWILKAR, J.

JUNE 27, 2006.

P.C.

1. Heard Counsel for the parties.

2. The grievance in this Petition is that inspite of pendency of Writ Petition, in which interim order has been passed by the Division Bench of this Court on 18th July 2005, coupled with the fact that the order passed by the Divisional Joint Registrar has already been quashed and set-aside by the Revisional Authority on 23rd August 2004 which order is subject matter of Writ Petition pending before this Court, the Respondents 1 to 11 have continued to manage the affairs of the Society, whereby committed wilful disobedience of the order of the Court.

3. The argument has been rightly countered by the Counsel for the Respondents by pointing out that the basis on which the assertion has been made in the Contempt Petition is ill-founded. There is

no order passed by the Court staying the operation of the order of Revisional Authority, setting aside the order of the Divisional Joint Registrar dated 26th December 2003.

4. I am in agreement with the submission of the Respondents that the interim relief which has been granted by this Court on 18th July 2005 is of limited nature namely one of interim stay of further proceedings before the Divisional Joint Registrar of Cooperative Societies in terms of the remand order passed by the Revisional Authority. There is no allegation in the Contempt Petition that inspite of such order, the further proceedings before the Divisional Joint Registrar have been precipitated in any manner.

5. Viewed thus, no case for contempt is made out. Hence, dismissed. Notices issued to Respondents stand discharged.

A.M.KHANWILKAR, J.